

REMARKS

Favorable reconsideration of this application, in light of the preceding amendments and following remarks, is respectfully requested. Claims 1-32 are pending in this application. By this Amendment, claims 1 and 32 are amended. By this Amendment, no claims are added or cancelled. Claims 1, 13, 26, 31, and 32 are the independent claims.

Allowed Claims

Applicants note with appreciation that claims 13-28 and 31 are allowed. In light of the above amendments and following remarks, Applicants submit that claims 1-12, 29-30 and 32 should be allowed as well.

Examiner Interview

Applicants thank the Examiner for granting the telephone interview conducted on October 27, 2009. During the interview, Applicants discussed the rejection to claims 1-12, 29-30 and 32 under 35 U.S.C. §112, first paragraph. Although Applicants disagree with the Examiner regarding this rejection, Applicants have amended independent claims 1 and 32 to overcome this rejection for the reasons discussed below.

Also, during the interview, Applicants discussed the rejection to claims 1-12 and 29-30 and 32 under 35 U.S.C. § 103(a) as being unpatentable over Admitted Prior Art of instant application (hereinafter "**APA**"), in view of Non-Patent Literature (Mobile IP by James D. Solomon, 1998 Prentice Hall PTR, Prentice Hall, Inc., pages 54-56, dated 9/5/1997 (hereinafter "**Solomon**") and Willey (U.S. Patent No. 6,505,058, hereinafter "**Willey**"), and further in view of Billstrom (U.S. Patent No. 5,729,537, hereinafter "**Billstrom**"). For instance, Applicants objected to the Examiner's heavy reliance upon the APA as disclosing the features of independent

claim 1. In view of the amendments discussed below, Applicants submit that independent claims 1 and 32 are clearly distinguishable from the cited references.

Also, the Examiner indicated that upon receiving this Amendment if anything should prevent this application from proceeding to allowance, the Examiner would call Applicants' representatives before a next USPTO communication.

Rejections under 35 U.S.C. § 112

The Examiner has rejected claims 1-12 and 29-30 and 32 under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. As stated above, Applicants have amended independent claim 1 to further clarify its features. Amended claim 1 recites "forming a modified first permanent identifier including a first portion that includes routing information to a home system and a second portion that includes one portion of the received data, the second portion not being an identification number of a user." This feature is supported by paragraph [0029] of the application as filed, which is reproduced below.

[0029]The first portion of the modified first permanent identifier contains the routing information to the home system 16, but the second portion or a part thereof, which normally includes the user identification number pre-assigned by the home system 16, includes data from the end user 2.

As clearly recited in paragraph [0029], a first portion of the first permanent identifier includes routing information and a second portion includes data received from the end user. Also, as clearly recited in paragraph [0029], the second portion does **not** include a user identification number, but rather data received from the end user. Therefore, Applicants submit that the first and second portions of the first permanent identifier are clearly supported by paragraph [0029].

Further, claim 1 also recites “forming a modified expanded second permanent identifier having a second permanent identifier portion and an expanded portion, the expanded portion including a second portion of the received data, the expanded portion not being an identification number of the user.” This feature is supported by paragraph [0030] of the application as filed, which is reproduced below.

[0030]The first portion of the modified expanded second permanent identifier includes the pre-established code to trigger the expanded second permanent identifier, and the second portion includes an identification number as did the conventional expanded second permanent identifier. However, the third or expanded portion of the modified expanded second permanent identifier, which normally includes another identification number, includes data from the end user 2.

The “expanded portion” of the second permanent identifier is clearly supported by paragraph [0030] because paragraph [0030] states that the “expanded portion of the modified expanded second permanent identifier, which normally includes another identification number, includes data from the end user 2.”

Furthermore, Applicants submit that *original* claims 29-30 are adequately supported by the specification within the meaning of 35 U.S.C. §112, first paragraph. For example, as the Examiner should know, the claims are part of the application as filed. Claims 29-30 were originally filed with the application on June 25, 2009. Therefore, claims 29-30 *themselves* provide adequate support within the meaning of 35 U.S.C. §112, first paragraph. As a result, Applicants respectfully request this rejection be withdrawn.

Rejections under 35 U.S.C. § 103

The Examiner has rejected claims 1-12 and 29-30 and 32 under 35 U.S.C. § 103(a) as being unpatentable over APA in view of Solomon and Willey, and in further view of Billstrom.

As stated during the interview, Applicants disagree with the Examiner's reliance upon the APA. For example, in contrast to the Examiner's assertions, Applicants do not believe that the APA discloses or suggests "forming a modified permanent identifier including a portion that includes routing information to a home system and a second portion that includes one portion of the received data." In relying on the APA, the Examiner states "[a]pplicant does not specify type of data, thus data is generic (broad definition) without type [and] [the] identification number of end user 2, as disclosed by APA in paragraph 0008 is a type of data in addition to routing information." See Office Action, pages 5-6. The "second portion that includes one portion of the received data" of claim 1 cannot possibly be the "identification number of end user 2" as indicated by the Examiner because claim 1 *explicitly* states that "the second portion [is] **not being an identification number of a user.**" This limitation directly excludes the art described in the background section of the present application. Further, the APA does not disclose "forming a modified expanded second permanent identifier having a second permanent identifier portion and an expanded portion" where the "expanded portion [is] **not being an identification number of the user**" as recited in claim 1 for the *same* reasons discussed above.

Therefore, the APA does not disclose or suggest these features. Solomon and Willey are not related to these features for at least the same reasons discussed in Applicants' previous response. In addition, Billstrom fails to overcome these deficiencies as well. For example, column 1, lines 23-28 of Billstrom states "communication of data to or from the communication station is effectuated without necessitating that the communication station be uniquely identified with a permanent identifier **unique** to the communication station." In other words, Billstrom discloses a system that provides a mobile station with **anonymous access to packet radio services.** By the system in Billstrom that allows the mobile station to remain anonymous does not suggest forming first and second

permanent identifiers to include actual data that is **not** identification numbers associated with a user.

As a result, APA, Solomon, Willey, and Billstrom, alone or in combination cannot render independent claim 1 obvious to one of ordinary skill in the art. Claims 2-12 and 29-30, dependent on claim 1, are patentable for at least the same reasons stated above. Also, independent claim 32 has been amended to include features similar to the above-recited features of claim 1, and therefore is patentable for at least the same reasons. As such, Applicants respectfully request this rejection be withdrawn.

CONCLUSION

In view of the above remarks, the Applicants respectfully submit that each of the pending objections and rejections has been addressed and overcome, placing the present application in condition for allowance. A notice to that effect is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to contact the undersigned.

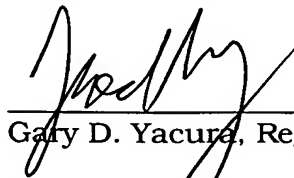
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Gary D. Yacura, at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKY, & PIERCE, P.L.C.

By



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